

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

GREGORY GILLILAN,	:	
	:	
Plaintiff	:	
	:	
VS.	:	
	:	
Mental Health Doctors HARRIS and	:	NO. 1:06-CV-176 (WLS)
DRURY,	:	
Defendants	:	
_____	:	<u>ORDER TO SUPPLEMENT COMPLAINT</u>

Plaintiff **GREGORY GILLILAN**, presently an inmate at Autry State Prison in Pelham, Georgia, has filed a *pro se* civil rights complaint under 42 U.S.C. § 1983. Plaintiff also seeks leave to proceed without prepayment of the \$350.00 filing fee or security therefor pursuant to 28 U.S.C. § 1915(a). Based on plaintiff's submissions, the Court finds that plaintiff is unable to pay the prepay the filing fee. Accordingly, the Court **GRANTS** plaintiff's motion to proceed *in forma pauperis* and waives the initial partial filing fee pursuant to 28 U.S.C. § 1915(b)(1).

It is hereby **ORDERED** that plaintiff's custodian or his designee shall set aside twenty percent (20%) of all deposits made to plaintiff's trust fund account and forward those funds to the Clerk each time the amount set aside exceeds \$10.00, until the \$350.00 filing fee has been paid in full. 28 U.S.C. § 1915(b)(2). The Clerk of Court is directed to send a copy of this order to the business manager and the warden of the institution where plaintiff is incarcerated.

I. BACKGROUND

Plaintiff sues Mental Health doctors Harris and Drury for denial of his antidepressant

medication, Wellbutrin. According to plaintiff, he had been prescribed Wellbutrin by Dr. Hall at Calhoun State Prison. Plaintiff was transferred to Augusta State Medical Prison, where doctors discontinued the Wellbutrin and placed plaintiff on Risperdal, an antipsychotic medication used for the treatment of schizophrenia. Plaintiff states that the defendant doctors are “are going by last physician’s screw-up/orders, so I’m forced to take the wrong medicine, which I have discontinued myself, which leaves the proper medicine not provided for and proper mental health need neglected.” Plaintiff files this action seeking, *inter alia*, injunctive relief in the form of an order directing the defendants to give plaintiff “the proper medicine.”

II. ORDER TO SUPPLEMENT

After reviewing plaintiff’s complaint, the Court finds that additional information about his contentions is needed. Because plaintiff is proceeding *pro se*, the Court will allow plaintiff to supplement his complaint. Accordingly, plaintiff shall make brief factual recitations of the specific actions or omissions of Drs. Harris and Drury, including all dates on which plaintiff was seen by the defendant doctors, which allegedly were in violation of his constitutional rights. Plaintiff is additionally instructed to explain why he needs Wellbutrin, what adverse effects plaintiff allegedly suffered as a result of not receiving said drug, what mental health diagnoses plaintiff has received, and which physicians made the diagnoses.

In his supplemental complaint, plaintiff must also identify the steps he has taken to exhaust his administrative remedies with respect to his claims. In particular, plaintiff should state: (1) the

approximate dates on which he filed grievances; and (2) the dates and content of any denials. Plaintiff is further instructed to state whether he appealed any denials and the results of such appeals. If possible, plaintiff should attach copies of all grievance filings, appeals, and responses.

III. NOTICE

Plaintiff is hereby given thirty (30) days from receipt of this order to submit a supplemental complaint, limited to the above claims. The Court will review the supplement to determine which, if any, claims may go forward and which, if any, defendants should be served with a copy of the complaint. If plaintiff fails to respond to this order in a timely manner, the Court will presume that plaintiff wishes to have this case voluntarily dismissed and will dismiss this action, without prejudice.

There shall be **no service of process** until further order of the Court.

SO ORDERED, this 28th day of December, 2006.

/s/ **Richard L. Hodge**
RICHARD L. HODGE
UNITED STATES MAGISTRATE JUDGE